

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:24-cv-00285-RJC**

**OFFICIAL COMMITTEE OF  
ASBESTOS CLAIMANTS,**

**Appellant,**

**v.**

**BESTWALL, LLC, et al.,**

**Appellees.**

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**In re**

**BESTWALL, LLC,**

**Debtor.**

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**ORDER**

**THIS MATTER** comes before the Court on the Joint Motion of Appellant and Appellees to Defer Briefing on Appellant's Motion for Leave to Appeal. (Doc. No. 3.)

On March 7, 2024, Appellant Official Committee of Asbestos Claimants filed a Notice of Appeal to this Court from an order of the Bankruptcy Court. (Doc. No. 1). That same day, Appellant filed a Motion for Leave to Appeal. (Doc. No. 2). In light of related pending Motions for Certification of Direct Appeal to the Court of Appeals, on March 14, 2024, the parties filed the instant Joint Motion of Appellant and Appellees to Defer Briefing on Appellant's Motion for Leave to Appeal. (Doc. No. 3).

Recognizing that rulings related to the Motions for Direct Appeal are unlikely to occur before the parties and the Court expend considerable time and resources on

the Motion for Leave, and in order to proceed efficiently and avoid unnecessary expenditure of the parties' and the Court's time, the Joint Motion of Appellants and Appellee to Defer Briefing on Appellants Motion for Leave to Appeal is granted.

**IT IS, THEREFORE, ORDERED** that:

1. The Joint Motion of Appellant and Appellees to Defer Briefing on Appellant's Motion for Leave to Appeal, (Doc. No. 3), is **GRANTED**;
2. Appellant shall file notice ("Deferral Termination Notice") on this Court's docket upon the occurrence of either the entry of a final order by the Bankruptcy Court denying the Motion for Direct Appeal or the entry of a final order by the Fourth Circuit denying a petition for appeal; and
3. Appellees shall submit their response to Appellant's Motion for Leave to Appeal, (Doc. No. 2), 14 days following the filing of the Deferral Termination Notice; and
4. Appellant shall submit any reply in support of its Motion for Leave no later than 14 days after Appellees file their Response.

Signed: March 19, 2024



Robert J. Conrad, Jr.  
United States District Judge

